IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 3RD OCTOBER 2007/11TH ASWINA 1929

Crl.Rev.Pet.No. 1027 of 2005()

CRA.108/2005 of SESSIONS COURT, ERNAKULAM
CC.1270/2001 of JUDL.MAGISTRATE OF FIRST CLASS-I, ERNAKULAM

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REVN. PETITIONER: APPELLANT/ACCUSED.

V.P.RADHAKRISHNAN,KRISHNA VILASOM,
VELIYANAD P.O. ARAKKUNNAM.

BY ADV. SRI.TOMY SEBASTIAN
SRI.SANTHAN V.NAIR

RESPONDENTS: COMPLAINANT.

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1. V.U.PATHROSE, VATTIKKAMATTATHIL HOUSE, PAZHOOR, PIRAVOM, REPRESENTED BY HIS POWER ATTORNEY HOLDER, P.A.AUGUSTINE, PALLIPPARAMBIL, NECHOOR P.O. PIRAVOM.

2. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SMT.K.J.JISMA
PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 03-10-2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.1027 of 2005

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Dated: 03-10-2007

ORDER

The accused in C.C. No. 1270 of 2001 on th**e file** of the Judicial Magistrate of the First Class-I, Ernakulam for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. **Crl.M.A.No. 8797 of 2007** has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

ani.

V. RAMKUMAR, J.

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Crl.R.P. No.....

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Dated: 24th August 2007

ORDER

The accused in C.C. / ST. No.....on th**e file** of the J.F.C.M..... for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. .....of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

ani.